

MESSAGE NO: 9309003 MESSAGE DATE: 11/05/2009

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8276208  
MESSAGE #  
(s):

CASE #(s): A-201-836

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/30/2008 TO 07/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LIGHT-WALLED RECTANGULAR  
PIPE AND TUBE FROM MEXICO (A-201-836)

MESSAGE NO: 9309003

DATE: 11 05 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 8276208

REFERENCE DATE: 10 02 2008

CASES: A - 201 - 836

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PERIOD COVERED: 01 30 2008 TO 07 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LIGHT-WALLED  
RECTANGULAR PIPE AND TUBE FROM MEXICO (A-201-836)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE  
REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE  
REQUESTED PURSUANT TO SECTION 751(a)(1) OF THE TARIFF ACT OF  
1930, AS AMENDED, AND IN ACCORDANCE WITH SECTION 351.213 OF  
COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE  
REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE  
MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED.

THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

PRODUCT: LIGHT-WALLED RECTANGULAR PIPE AND TUBE

COUNTRY: MEXICO

CASE NUMBER: A-201-836

PERIOD: 01/30/2008 THROUGH 07/31/2009

(NOTE: ENTRIES DURING THE PERIOD 07/28/2009 THROUGH 08/03/2008 ARE COVERED BY MESSAGE 8276208, DATED 10/02/2008.)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

MAQUILACERO S.A. DE C.V.

REGIOMONTANA DE PERFILES Y TUBOS S.A. DE C.V.

INDUSTRIAS MONTERREY S.A. DE C.V.

PERFILES Y HERRAJES LM S.A. DE C.V.

GALVAK

HYLSA S.A. DE C.V.

NACIONAL DE ACERO S.A. DE C.V.

PRODUCTOS LAMINADOS DE MONTERRERY S.A. DE C.V.

TERNIUM MEXICO, S.A. DE C.V.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. ENTRIES OF MERCHANDISE OF THE EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 01/30/2008

THROUGH 07/31/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 08/2009 ANNIVERSARY MONTH (74 FR 48224, 09/22/2009). FOR ALL OTHER SHIPMENTS OF LIGHT-WALLED RECTANGULAR PIPE AND TUBE FROM MEXICO YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE

ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE

CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:BW).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

FLORENCE CONSTANT

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party